

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Lynchburg Division

IN RE: A.G. DILLARD, INC., : Case No. 22-60115-RBC
: :
Debtor. : Chapter 11

BREEDEN CONSTRUCTION, LLC, :
: :
Movant, :
: :
v. :
: :
A.G. DILLARD, INC., :
: :
Respondent. :

**NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY
AND NOTICE OF HEARING**

PLEASE TAKE NOTICE that on March 10, 2022, Breeden Construction, LLC, a creditor in this case, filed a *Motion for Relief from Automatic Stay*, a copy of which is attached.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in these bankruptcy cases. (If you do not have an attorney, you may wish to consult one.)

PLEASE TAKE FURTHER NOTICE THAT if you object, must:

1. File with the Court a written objection by mail or otherwise early enough so the Court will receive it on or before March 31, 2022 at:

Clerk, United States Bankruptcy Court
1101 Court St., Room 166 Lynchburg, Virginia 24504 and

2. Send a copy to counsel for Breeden Construction, LLC:
Paul A. Driscoll
Zemanian Law Group
223 East City Hall Avenue, Suite 201
Norfolk, VA 23510

Peter G. Zemanian, VSB No. 24922
Paul A. Driscoll, VSB No. 33476
Zemanian Law Group
223 East City Hall Avenue, Suite 201
Norfolk, Virginia 23510
(757) 622-0090
Counsel for Breeden Construction, LLC

PLEASE TAKE FURTHER NOTICE THAT the hearing on the Motion will be held remotely via Zoom on April 7, 2022 at 11:00 a.m., and you may access such hearing via the following URL: <https://vawb-uscourts-gov.zoomgov.com/j/1603692643>. If you chose to login to the hearing using your own account, the Meeting ID is: 160 369 2643

PLEASE TAKE FURTHER NOTICE THAT if you do not timely file and serve a written response to the relief requested in the Motion, the Court may deem any opposition waived, treat the Motion as conceded and enter an order granting the relief requested in the Motion without further notice or a hearing. If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then you or your attorney must also attend the hearing on the Motion before the Honorable Rebecca B. Connelly, in the United States Bankruptcy Court for the Western District of Virginia, Lynchburg Division, Virginia, via Zoom as set out above. If you fail to file a timely written response or fail to attend the hearing even if a response is timely filed, the Court may consider any objection you may have waived and enter an order granting the relief requested.

DATE: March 10, 2022

BREEDEN CONSTRUCTION, LLC

By: /s/ Paul A. Driscoll
Of Counsel

Peter G. Zemanian, VSB No. 24922
Paul A. Driscoll, VSB No. 33476
Zemanian Law Group
223 East City Hall Avenue, Suite 201
Norfolk, Virginia 23510
(757) 622-0090
Counsel for Breeden Construction, LLC

CERTIFICATE OF SERVICE

I certify that I electronically filed the foregoing *Motion for Relief from Automatic Stay* with the Clerk on March 10, 2022, with service via the ECF system upon all who have noted an appearance, including:

Robert S. Westermann
Brittney Falabala
Hirshler Fleischer, P.C.
2100 East Cary Street
Richmond, VA 23223
Counsel for A.G. Dillard, Inc.

Peter J. Barrett
Jeremy Williams
Kutak Rock, LLP
901 E. Byrd St., Ste. 1000
Richmond, VA 23219
*Counsel for Official Committee of
Unsecured Creditors*

and on the same day by first class mail upon:

A.G. Dillard, Inc.
ATTN: A.G. Dillard, III
295 Memory Lane
Troy, VA 22974-3707

/s/ Paul A. Driscoll